Environment Appellate Authority

3725. SHRI SURENDRA LATH: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) whether it is fact that Environment Appellate Authority is functioning without any Chairman for the last one year;

(b) if so, the reasons therefor;

(c) whether Government are aware that many cases and other developmental projects are pending before the Appellate Authority; and

(d) whether Government are aware that due to this situation the projects are getting delayed and getting difficult to implement?

THE MINISTER OF STATE IN THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI NAMO NARAIN MEENA): (a) and (b) A nomination was received during the last financial year (2005-06) for appointent of a retired Judge of the Supreme Court to the post of Chairperson, National Environment Appellate Authority (NEAA). However he could not be appointed to that post as salary and other perks attached to the post of Chairperson, NEAA in terms of NEAA (Salary, Allowances and Conditions of Service of Chairperson and Vice-Chairperson) Rules, 1998, which were notified in accordance with the provisions of the Department of Personnel & Training's OM No. 3/6/97-Estt.(PAY- II) dated 29-1-1998 governing uniform salary, allowances and other perks to Chairperson and Members of various Regulatory Authorities, were not as per the conditions put forward by the nominee for accepting the assignment. Therefore, a fresh list of names of retired Judges of Supreme Court and retired Chief Justices of various High Courts has since been obtained from the Ministry of Law and Justice for appointment of Chairperson. This Ministry has also taken necessary action for filling up the two posts of Members in the Authority. The NEAA Act, 1997 does not prescribe any quorum for hearing appeals filed before it and a single Member of the Authority is competent to hear appeals.

(c) and (d) All appeals received by the Authority up to June, 2005 have already been disposed of. Only 10 appeals received thereafter are pending before the Authority, of which 6 were received during the current year.